## OYEN WIGGS GREEN & MUTALALLP INTELLECTUAL PROPERTY LAWYERS

Registered Patent & Trademark Agents

480—The Station, 601 West Cordova Street Vancouver, British Columbia, Canada V6B 1G1 Tel: 604.669.3432 Fax: 604.681.4081 www.patentable.com mail@patentable.com RECEIVED
CENTRAL FAX CENTER

JUL 0 7 2005

Our File: Q120 0009

#### **FAX TRANSMITTAL SHEET**

DATE:

7 July 2005

To:

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313 - 1450

Re:

Amendment

Title:

PLANT GROWING MACHINE

Serial No.:

10/642,293

Filed:

18 August 2003

Fax:

703 872-9306

From:

Richard A. Johnson

NO. OF PAGES INCLUDING THIS TRANSMITTAL SHEET: 8

**ENCLOSURES:** 

TRANSMITTAL FORM (PTO/SB/21)

- 1

PAGE

**AMENDMENT** 

-6 PAGES

CONFIRMATION COPY:

will follow by mail

☐ will follow by courier

☑ will NOT follow

JF TRANSMISSION PROBLEMS OCCUR, PLEASE CONTACT <u>BRAD SHERBUCK</u> AT (604) 669-3432 EXT. 9049.

PLEASE NOTE: THIS TELECOPY IS DIRECTED IN CONFIDENCE SOLELY TO THE PERSON NAMED ABOVE. THE CONTENTS OF THIS TELECOPY MAY BE SUBJECT TO SOLICITOR-CLIENT PRIVILEGE. ALL RIGHTS TO THAT PRIVILEGE ARE EXPRESSLY CLAIMED AND NOT WAVED. WE ARE AWARE THAT OCCASIONAL TRANSMISSION ERRORS OCCUR IN ROUTING TELECOPIED MESSAGES. IF YOU HAVE RECEIVED THIS TELECOPY IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE, AND RETURN THE ORIGINAL TRANSMISSION TO US BY MAIL, OR DESTROY THE SAME, WITHOUT MAKING A COPY.

					II C Botost sur	Approve	d for use	PTC/SB/21 (09-04) through 07/31/2008. OMB 0851-0031
Under the Paperwork Reduction Act of 1995, no person			s are required to respond to Application Number	a collection of	ntent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Citon of Information unless it displays a valid OMB control number.			
(				10/642,293				
TRANSMITTAL			Filing Date		18 August 2003			
FORM			First Named Inventor	MARCH	MARCHILDON, Ted			
			Art Unit	3643	3643			
(to be used for all correspondence after initial filing)			Examiner Name		NGUYEN, Son T.			
Total Number of Pages in This Submission 7			7	Attorney Docket Num	D120 0	009		
ENCLOSURES (Check all that apply)								
Fee Trans	Transmittal Form			Drawing(s)			•	Allowance Communication to TC
Fee Attached				Licensing-related Papers			of App	peals and Interferences
Amendment/Reply			🔲 ı	Petition				al Communication to TC al Notice, Brief, Reply Brief)
After Final				Petition to Convert to a Provisional Application			Propri	etary Information
				Power of Attorney, Revocation Change of Correspondence Address Terminal Disclaimer			•	•
Affidavits/declaration(s)								Letter Enclosure(s) (please Identify
Extension of Time Request			片 '				below	
Express Abandonment Request			닏 '	Request for Refund				*,
Information Disclosure Statement			<u>                                    </u>	CD, Number of CD(s)				
			[	Landscape Table on CD				
Certified Copy of Priority Document(s)			Remarks					
Reply to Missing Parts/								
Incomplete	e Appliœ	ation						
		issing Parts FR 1,52 or 1.53						
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT								
Firm Name OYEN WIGGS GREEN & MUTALA LLP								
Signature 011								
Distant same								
Printed name Right A. Johnson  Date 7 July 2005 Reg. No. 55 000								
7810	7 July 2	005		Reg. No.	56,	080		
CERTIFICATE OF TRANSMISSION/MAILING								
I hereby cartify the sufficient postage the date shown be	as first o	rrespondence is b dass mail in an en	eing facsi velope ad	imile transmitted to the L Idressed to: Commission	JSPTO or dep ner for Patents	osited wit , P.O. Bo	h the Un k 1450, /	ited States Postal Service with Alexandria, VA 22313-1450 on
Signature 187000								
Typed or printed name Brad D. Sherbuck			k		<del> </del>		Date	7 July 2005

This collection of information is required by 37 CFR 1.6. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

JUL 0 7 2005

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on 7 July 2005.

Brad Sherbuck - Secretary to Richard A. Johnson

O120 0009 DJM/RAJ/raj

Paper No .:\_

# IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Inventor(s):

MARCHILDON, Ted

Title:

PLANT GROWING MACHINE

Serial No.:

10/642293

Filed:

18 August 2003

Examiner:

NGUYEN, Son T

Art Unit:

3643

Date:

7 July 2005

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

### <u>AMENDMENT</u>

## Introductory Comments

Responsive to the Office action mailed 7 April 2005 as extended by the accompanying Petition (if applicable), please amend this application as follows:

- Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.
- Remarks/Arguments begin on page 5 of this paper.